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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Greer et al.**	Docket No.: **0908-CE** RPBPC REF: **CRUS-0164**
Serial Number: **09/499,442**	Art Unit: **2174**
Filing Date: **February 7, 2000**	Examiner: **Nhon D. Nguyen**
Title: **USER INTERFACE SYSTEMS, METHODS, AND COMPUTER PROGRAM PRODUCTS FOR MULTI-FUNCTION CONSUMER ENTERTAINMENT APPLIANCES**	

BRIEF ON APPEAL

RECEIVED
DEC 15 2003
Technology Center 2100

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Further to the NOTICE OF APPEAL dated October 14, 2003 in the above-captioned application, applicant hereby submits this BRIEF ON APPEAL.

(1) Real party in interest

The real party in interest in this appeal is Cirrus Logic, Inc., the assignee of record in the present application.

(2) Related appeals and interferences

There are no related appeals or interferences at the present time.

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(3) Status of claims

A statement of the status of all the claims, pending or canceled, and identifying the claims appealed.

Claims 1-16 and 18-20 are pending in the above-captioned application.

Claims 17 was cancelled in an amendment of June 2nd, 2003.

Claims 1-16 and 18-20 are appealed from the FINAL rejection of August 13, 2003.

(4) Status of amendments

All amendments to date have been entered, to the best of applicant's knowledge.

(5) Summary of invention

A user interface provides the functionality and concurrency capability of a computer, without the complexities of a computer operating system, applications and hardware. The present invention permits use of a computer while maximizing a particular selected functionality. In particular, computer application grouping and launching facility on a user interface is maintained and supplemented with detection of resource conflicts with an earlier launched application, followed by user prompt requesting choice of implementation of the new or preceding application.

Since only a limited number of applications are run on the device, it is possible to map in advance which devices or applications will conflict with one another and prevent a user from running conflicting applications, and thus avoid cryptic error messages.

Thus, for example, if a speakerphone/telephony application is launched and the web is already running, a prompt to select one or the other of the applications is produced only in the case where there is a resource conflict. If a DVD application is launched and there is input from a TV tuner, the prompt to select one or the other of the applications is produced only in the case where there is a resource conflict. Further, the user interface may be configured to provide enhanced hardware utilization according to a launched application.

For example, when DVD is launched, a check is made to determine whether a TV has been connected. If a TV is connected, then the user interface will automatically select special hardware in a video-out chip to engage alternate video ports to produce a better quality output. If no TV is connected when DVD has been launched, the user interface automatically switches back to standard VGA mode to enable re-display of the user interface.

(6) Issues

Applicant contends that the remaining issues on appeal are as follows:

1. Whether claims 1, 2, 4, 5, 7, 13, 16, 18, and 20 are unpatentable under 35 U.S.C. §102(e) over LaJoie.

2. Whether claims 3 and 19 are unpatentable under 35 U.S.C. §103(a) over LaJoie.

3. Whether claim 6 is unpatentable under 35 U.S.C. §103(a) over LaJoie in view of Lee.

4. Whether claim 8 is unpatentable under 35 U.S.C. §103(a) over LaJoie in view of Farleigh.

5. Whether claims 9, 10, 11, and 12 are unpatentable under 35 U.S.C. §103(a) over LaJoie in view of Klosterman.

6. Whether claims 14-15 are unpatentable under 35 U.S.C. §103(a) over LaJoie in view of Sciammarella.

(7) Grouping of claims

All of the claims are rejected in whole or part, upon the LaJoie reference. All of the independent claims have been rejected as being anticipated the LaJoie reference. Thus, if the LaJoie reference fails to teach all the elements of the independent claims, arguably all of the claims (independent and dependent) are

allowable and thus stand together. The various independent claims, however, contain different claim limitations, and thus, under the doctrine of claim differentiation, are of varying scope, and thus each should be treated independently on its merits.

However, as the various dependent claims are rejected in view of the LaJoie reference and a combination of other references, all of the claims do not fall together. In particular, each dependent claim describes a different claim limitation in a different combination with its associated independent claim and any intervening claim. Under the doctrine of claim differentiation, each claim is thus of varying scope and should be treated independently of the others.

Thus, applicant submits that none of the claims stand or fall together.

(8) Argument

(i) 35 U.S.C. §112, first paragraph

There are no pending rejections under 35 USC §112, first paragraph in the above-captioned application.

(ii) 35 U.S.C. §112, second paragraph

There are no pending rejections under 35 USC §112, first paragraph in the above-captioned application.

(iii) 35 U.S.C. 102

Claims 1, 2, 4, 5, 7, 13, 16, 18, and 20 are rejected under 35 U.S.C. §102(e) as being anticipated by the LaJoie reference.

This is a curious rejection. The LaJoie reference teaches a set-top cable TV type converter box with a VCR recording function. A user may select a program for later recording to a VCR (e.g., for so-called "time shifting") by selecting from an on-screen menu of programs using a remote control.

If there is a conflict between two *television programs*, the system will indicate such a conflict to the user.

The present invention, in contrast, is a simplified multi-media computer system, which may be connected to a television as an output device. Since it has a predetermined number of functions, it is possible to map out all possible hardware (and software) conflicts in advance, so that a dreaded Windows™ "error" message will not be generated. This technique makes such a consumer product more user-friendly and suitable for the entertainment market where users may have limited computer skills.

The Examiner argues that Col. 29, lines 20-23 of the LaJoie reference teaches the concept of detecting a conflict between applications. The Examiner argues that the "applications" taught in the LaJoie reference are different VCR recording programs that may conflict with one another if a user tries, for example, to record two TV shows that overlap or occur at the same time.

However, a closer examination of this section of the LaJoie reference (or any other part thereof) shows that no such recitation is provided. The LaJoie reference teaches detecting "possible timer conflicts at the timers are set up to prevent timers from being erroneously set or over-written" (LaJoie, Col. 29, lines 21-25).

Contrary to the Examiner's assertion, the LaJoie reference does not teach multiple applications running on his set-top box, but rather a single program which is capable of recording multiple TV programs (You may want to further clarify the difference between "single program" and "TV programs" to avoid any other possible confusion.). Thus, there is no "conflict" between application programs trying to access the same hardware or software features, but merely a single program determining whether it has set two timers in an overlapping fashion.

Moreover, the LaJoie reference does not provide a predetermined conflict MAP to anticipate possible conflicts between applications and devices. Claim 1 of the present application, as amended, recites a conflict map containing a list of conflicts between the list of predetermined computer applications. This conflict map, determined in advance, maps out all possible potential conflicts between different applications for the multimedia device of the present invention. The LaJoie reference shows no such map, as his device merely detects overlaps in time at the time such conflicts occur. The LaJoie reference does not map, and does not map in advance.

As noted above, the claims of the present invention are of varying scope. Claim 1, as noted above, recites a conflict map containing a list of conflicts between computer applications. However, other independent claims such as Claim 7, for example, recites a conflict map containing a list of device conflicts between at least two device application modes. The La Joie reference teaches neither type of device map.

As noted, the LaJoie reference teaches only detecting conflicts between timer settings when they occur and does not map out such potential conflicts in advance. Moreover, the LaJoie reference clearly does not teach providing a map of device conflicts for operating in different modes, as the set-top box of the LaJoie reference does not provide different device modes as in the present invention. The LaJoie reference discloses a cable box and thus has only one "mode" of operation and one "device" to operate. The present invention can play DVDs, CDs, make telephone calls, play digital radio, and access the internet.

The Examiner's only argument with regard to claim 7 is that the device of the LaJoie reference might be used for Direct Broadcast Satellite (DBS) reception and thus "it assumes to have a capability of receiving programs from Local Network Broadcast Antenna (LNBA)". However, the LaJoie reference provides no such teaching or assumption. The only teaching in the LaJoie reference of DBS reception is a one sentence comment (Col. 2, lines 21-25) that the apparatus "may" be used for DBS reception. Nowhere does the LaJoie reference teach or suggest automatically switching between DBS and LNBA tuning. There is no teaching, suggestion, drawing, description, or claim in the LaJoie reference to any multiple operating mode.

The Examiner argues that the two hypothetical forms of operation (DBS and LNBA) of the LaJoie reference are analogous to the different application modes in applicant's multimedia invention. However, again, the rejection fails to address all of the claimed features of the present invention. Applicant's invention discloses a predetermined conflict map which maps out conflicts in advance so that application modes will not conflict when the device is operated. This inventive feature of the present invention is dismissed as "inherent" by the Examiner. However, a proper §102 rejection should clearly teach every feature of the claimed invention.

Thus, it is readily apparent that the LaJoie reference does not anticipate all of the features of the claimed invention as the LaJoie reference does not teach:

1. Preparing a conflict map ahead of time to map out all possible conflicts between applications;
2. Detecting conflicts between different applications before they are launched by using the conflict map;
3. Preparing a conflict map for device conflicts in different application modes; and
4. Detecting device conflicts in different application modes before they are launched by using the conflict map.

The §102 rejection is without merit and should be withdrawn.

(iv) 35 U.S.C. 103.

There are a number of ancillary §103 rejections applied to the various dependent claims using the LaJoie reference alone or in view of other references. As the Lajoie reference does not teach or suggest the limitations of the base independent claims, these §103 rejections automatically fail as well. However, some of these §103 rejections bear comment.

Rejection of claims 3 and 19 rejected under 35 U.S.C. §103(a) over the LaJoie reference.

Claims 3 and 19 were rejected under 35 U.S.C. §103(a) over the LaJoie reference. This reference was mischaracterized by the Examiner as a single-reference obviousness rejection, and should properly be characterized as "LaJoie in view of Official Notice". The Examiner argues in the Office Action of August 13, 2003 that applicant did not properly traverse this Official Notice rejection made in the Office Action of March 3, 2003, and therefore admits to the facts of the rejection. Applicant, of course, disputes this contention.

Moreover, the Examiner's Official Notice argument, even if assumed to be factual, does not address all the limitations of the claimed invention. The Examiner took Official Notice that:

"It is well known that a remote control comprises infrared signals and that these signals would have to be converted to USB signals in the set top system by the converter" (Office Action of March 3, 2003, page 6).

Taking aside for the moment the preposterousness of this statement (there is no requirement in any computer system that an IR receiver interface specifically with a USB bus, but rather could interface with any type of known computer bus) the statement still fails to read on applicant's claim language.

Claim 3, for example, recites, part:

> "converting means for converting infrared remote control signals to USB signals, said converting means receiving an infrared remote control signal, **determining context of use of the infrared remote control signal, and generating a corresponding USB signal to communicate the infrared remote control signal to an intended device.** (emphasis added)

Thus, even if we assume the Examiner's "Official Notice" statement is true, the statement still fails to teach all of the elements of the claimed invention. The Examiner argued that applicant failed to properly traverse his Official Notice statement and thus is barred from contesting the facts of this statement. However, even assuming *arguendo* that the Examiner's interpretation of Official Notice law is correct, applicant is not barred from disputing the substance of the rejection, i.e., how the Notice is applied to the claims.

As illustrated here, claim 3 contains the limitation of determining the context of use of the IR signal and then generating a corresponding USB signal based upon this context. Thus, if a button is pressed on the remote in one mode of operation, it may generate one type of USB signal (e.g., advance DVD play) while in another mode it may generate another type of USB signal (e.g., change radio station).

The Examiner's §103 rejection does not address this feature of the claim and thus the Examiner has not made a *prima facie* case of obviousness in his rejection of claims 3 and 19, even assuming his "Official Notice" statement to be true.

Rejection of claim 6 under 35 U.S.C. §103(a) over the LaJoie reference in view of the Lee reference.

Claim 6 was rejected under 35 U.S.C. §103(a) over the LaJoie reference in view of the Lee reference. The Examiner admits that the LaJoie reference does not teach selectively using either a TV set or a computer monitor as an output device. As the LaJoie reference is directed toward a Cable TV set-top box, this comes as no surprise. Again, the present invention is directed toward a multi-media device, not a Cable-TV box. It would be odd, indeed, if the LaJoie reference taught a VGA output for his Cable-TV box, as such an application is not contemplated in the art. Thus, there lacks any serious motivation to combine the LaJoie reference with any reference teaching such a feature.

Regardless, the Examiner combined the LaJoie reference with the Lee reference. The Lee reference discloses a television which may also be used as a computer monitor. The Lee reference discloses the opposite of what applicant is claiming. The present invention is provided with both television and PC outputs to display to either type of device. The Lee reference, in contrast, discloses a TV which may be used as a computer monitor.

Claim 6 recites:

> The method according to claim 5, further comprising the steps of:
> determining whether **a television or a computer monitor has been connected to the computer system**, and
> **selecting hardware in a video output device in the computer system to engage alternate video ports to produce an optimal quality output in response to said determining step.** (emphasis added).

Since the Lee reference provides a combined TV/computer monitor, there is no way for the device of the LaJoie reference to detect whether a television OR a computer monitor has been connected - even assuming it would somehow be obvious to connect a computer monitor to a cable TV box.

Rejection of claim 8 under 35 U.S.C. §103(a) over the LaJoie reference in view of the Farleigh reference.

Claim 8 was rejected under 35 U.S.C. §103(a) over the LaJoie reference in view of the Farleigh reference.

Claim 8 recites:

> 8. The method according to claim 7, further comprising the step of:
> halting the second of said at least two such predetermined device application modes upon initiation of the first device application mode.

The Examiner admits that the LaJoie reference does not teach or suggest halting the second of at least two predetermined application modes upon initiation of the first device application mode (Office Action of August 13, Page 7). This is an interesting admission, as it in effect admits that the LaJoie reference does not teach all of the features of the basic independent claims as well.

As noted above, the LaJoie reference does not teach or suggest two application modes, nor pre-mapping conflicts between two application modes. The LaJoie reference teaches only setting timers using a SINGLE application and checking for conflicting timer schedules. The Examiner argues that it is "inherent" in the LaJoie reference for his apparatus to be used to select between DBS and LNBA signals, despite the absence of any such teaching in the LaJoie reference.

Here, the Examiner is forced to admit that the LaJoie reference does not teach halting the second of at least two predetermined device application modes simply because the LaJoie reference fails to teach two such modes to begin with. The Examiner is already out on a limb by hypothesizing the existence of a dual DBA/LNBA device for the LaJoie reference and characterizing such a made-up apparatus as having dual modes. Apparently even the Examiner cannot take this fantasy further by arguing that one hypothetical form of operation is halted in view of the other.

Thus, the Farleigh reference is applied in an attempt to correct the defects of the underlying rejection by the LaJoie reference. The Farleigh reference, however, discloses only an

automatic selection switch for selecting between a number of different signal sources.

The application of the Farleigh reference to the LaJoie reference illustrates the underlying defect in the Examiner's reasoning in these rejections. The Examiner apparently is trying to pigeonhole the present invention as a simple set-top cable box. While the present invention may include TV tuner hardware and the like, it is far more than merely a Cable TV box, but rather is a multi-media device. As such, it may be provided with a number of different operating modes which may create application and/or device conflicts which could cause the system to "crash" much as a Windows™ based PC will crash if two conflicting programs are launched concurrently. While PC users may tolerate such limited functionality, in the consumer products market, it is expected that a consumer device should plug in and operate in all modes of operation without the need to periodically "reboot" the system.

The Farleigh reference, in contrast, provides only a switch for switching between input signals. There is no inherent "conflict" in a switching device, as it merely selects one input over another, and the selected signal input is then transmitted to the output device. Only one signal at a time is selected. The present invention, in contrast, may run a number of different applications simultaneously (e.g., play music while surfing the web), and thus merely selecting between applications using a switch is not a valid option. The present invention allows for multi-tasking while at the same time prevents hardware and software crashes which are common to multi-tasking environments.

It should be noted that this invention has far-ranging applications in addition to consumer products uses, including but not limited to, computer applications and even cable and satellite TV boxes and the like. However, even assuming an embodiment of the present invention is limited to a set-top cable or satellite box, the LaJoie and Farleigh references do not teach or suggest applicant's conflict mapping system. The LaJoie reference teaches no such predetermined map as noted above, and the Farleigh reference discloses only a switching mechanism.

Rejection of claims 9, 10, 11, and 12 under 35 U.S.C. §103(a) over the LaJoie reference in view of the Klosterman reference.

Claims 9, 10, 11, and 12 were rejected under 35 U.S.C. §103(a) over the LaJoie reference in view of the Klosterman reference. The Klosterman reference is directed toward the "Starsight" interactive Cable TV settop box with program guide. The Klosterman reference discloses a "picture within a picture" system known in the television arts.

The Examiner argues the Klosterman reference reads on the limitations of claim 9, which recites:

> 9. The method according to claim 7, further comprising the step of:
> minimizing the second of said at least two such predetermined device application modes upon initiation of the first device application mode.

The term "minimizing" however, has a specific meaning in the computer arts with regard to operating systems, and in particular the Windows™ operating system. Thus, putting a TV program in a "picture within a picture" format is not "minimizing" the program as is known in the art. Moreover, two television programs are hardly computer applications as set forth in the independent claim. As such, there is no motivation to combine the Klosterman reference with the LaJoie reference, even if one assumes *arguendo* that the LaJoie reference taught the use of two competing applications.

Claim 10 recites:

> 10. The method according to claim 7, further comprising the step of:
> presenting images relating to the second of said at least two such predetermined device application modes in a selected window.

Here, at least the Klosterman reference discloses an embodiment which provides an <u>appearance</u> which might be considered akin to applicant's invention. However again, the Klosterman reference teaches only providing picture-within-a-picture for two TV programs, not two computer program applications.

Claim 11 recites:

> 11. The method according to claim 10, wherein said selected window is subordinated in a web browser environment.

Figure 6(d) of the Klosterman reference does indeed disclose accessing a website or "virtual channel" which allows the user of the Starsight box to access a website. Curiously, the Klosterman

reference fails to teach how such access is provided - no technical description, block diagram, or other information on how a website is accessed appears in the description of the Klosterman reference. Thus, the Klosterman reference does not teach or suggest running two program applications simultaneously, nor mapping conflicts between two applications or devices. Thus, the Klosterman reference fails to correct the deficiencies of the LaJoie reference in the underlying rejection.

Claim 12 recites:

> 12. The method according to claim 11, further comprising the step of:
> presenting a control panel for setting operating parameters for the second of said at least two such predetermined device application modes within a selected window.

The Examiner argues that the on-screen menu of the Klosterman reference (Col. 2, line 36) reads on this control panel feature. The on-screen menu of the Klosterman reference appears to select merely between modes and not set operating parameters for the second device application mode (e.g., minimize, terminate, view in smaller window). However, even assuming *arguendo* that such a feature is taught, the Klosterman reference fails to correct the deficiencies in the underlying rejection under the LaJoie reference.

Rejections of claims 14-15 are under 35 U.S.C. §103(a) over the LaJoie reference in view of the Sciammarella reference.

Claims 14-15 were rejected under 35 U.S.C. §103(a) over the LaJoie reference in view of the Sciammarella reference. The Sciammarella reference discloses a zooming scale indicator for computer graphics. In the portion relied upon by the Examiner, Col. 4, lines 49-50, the Sciammarella reference mentions in passing various alternative input devices for his invention, "such as a mouse, lightpen, a touch-screen display, remote control device, etc."

Claim 14 recites:

> 14. The method according to claim 7, wherein step of selecting comprises the step of selecting through an on-screen emulation of a remote control device.

Claim 15 recites:

> 15. The method according to claim 7, wherein said step of selecting is made by clicking a mouse over an active portion of a screen image of a control panel image.

These claims recite the emulation of a remote control on a screen (claim 14), which may be activated by clicking on the "remote control" buttons with a mouse (claim 15). The Sciammarella reference discloses only a generic teaching of the existence of touch screen displays or a mouse as a computer interface. The

Sciammarella reference nowhere teaches putting an emulated remote control on the screen and activating the remote control by mouse clicking.

(v) Other Rejections

There are no other rejections pending in the above-captioned application.

CONCLUSION

The LaJoie reference, which is the primary reference applied to all of the claims, fails to teach the basic features of mapping application and/or device conflicts in advance and detecting application and/or device conflicts before launching an application. The ancillary references fail to correct this defect and moreover fail to disclose the ancillary features to which they are applied.

Applicant respectfully submits that all of claims 1-16 and 18-20 are presently in condition for allowance. Applicant respectfully requests that the Board overturn the Examiner's outstanding rejections and instruct the Examiner to allow the claims on Appeal.

The Commissioner is hereby authorized to charge any additional fees associated with this communication, including patent application filing fees and processing fees under 37 C.F.R. § 1.16 and 1.17, or credit any overpayment to **Deposit Account No. 50-1393.**

Respectfully submitted,

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(9) Appendix

The following claims 1-16 and 18-20 are involved in this appeal:

1. A user interface for use with a computer system, said user interface comprising:

selecting means for selecting from a list of predetermined computer applications and outputting a selection signal;

a conflict map containing a list of conflicts between the list of predetermined computer applications; and

conflict checking means, coupled to the selecting means and the conflict map, for receiving the selection signal, determining from the selection signal and the conflict map whether a potential conflict between computer applications could occur, and outputting a display message if a determination is made that a potential conflict could occur between computer applications.

2. The user interface of claim 1, wherein said selecting means comprises a remote control, said user interface further comprises:

an input device interface, for receiving signals from the remote control and converting the signals from the remote control into command signals.

3. The user interface of claim 2, wherein said remote control comprises an infrared remote control and said input device interface further comprises:

converting means for converting infrared remote control signals to USB signals, said converting means receiving an infrared remote control signal, determining context of use of the infrared remote control signal, and generating a corresponding USB signal to communicate the infrared remote control signal to an intended device.

4. A method of selecting among a predetermined plurality of computer applications to run on a computer system for presentation on a display screen, comprising the steps of:

selecting from a list of predetermined computer applications and outputting a selection signal,

receiving the selection signal and determining from the selection signal and a conflict map containing a list of conflicts

between the list of predetermined computer applications whether a potential conflict could occur, and

outputting a display message if a determination is made that a potential conflict could occur between computer applications.

5. The method of claim 4, wherein said step of outputting a display message further comprises the step of:

prompting a user to select another application if a determination is made that a potential conflict could occur.

6. The method according to claim 5, further comprising the steps of:

determining whether a television or a computer monitor has been connected to the computer system, and

selecting hardware in a video output device in the computer system to engage alternate video ports to produce an optimal quality output in response to said determining step.

7. A method for selecting one of at least two predetermined device application modes in a microprocessor controlled television set-top system, comprising the steps of:

selecting a first device application mode from a predetermined menu of device application modes, which menu includes at least two such predetermined device application modes,

determining whether a second of said at least two such predetermined device application modes is active,

determining from a conflict map containing a list of device conflicts between the at least two predetermined device application modes whether a potential conflict could occur, and

initiating television presentation of activities relating to said first device application mode if it is determined a potential device conflict may not occur.

8. The method according to claim 7, further comprising the step of:

halting the second of said at least two such predetermined device application modes upon initiation of the first device application mode.

9. The method according to claim 7, further comprising the step of:

minimizing the second of said at least two such predetermined device application modes upon initiation of the first device application mode.

10. The method according to claim 7, further comprising the step of:

presenting images relating to the second of said at least two such predetermined device application modes in a selected window.

11. The method according to claim 10, wherein said selected window is subordinated in a web browser environment.

12. The method according to claim 11, further comprising the step of:

presenting a control panel for setting operating parameters for the second of said at least two such predetermined device application modes within a selected window.

13. The method according to claim 7, wherein step of selecting comprises the step of selecting with a remote control device.

14. The method according to claim 7, wherein step of selecting comprises the step of selecting through an on-screen emulation of a remote control device.

15. The method according to claim 7, wherein said step of selecting is made by clicking a mouse over an active portion of a screen image of a control panel image.

16. A set-top system comprising:

a television for producing images according to one or more application modes;

a microprocessor device in communication with said television, said microprocessor device including circuitry for implementing at least two predetermined application modes; and

a controller for selecting an application mode,

wherein said device is configured to determine activation status of at least a single non-selected application mode when a particular other activation mode is selected,

wherein said controller further comprises a selecting means for selecting from a list of predetermined applications and outputting a selection signal, and

said controller further comprises:

a conflict map containing a list of conflicts between the list of predetermined applications; and

conflict checking means, coupled to the selecting means and the conflict map, for receiving the selection signal, determining from the selection signal and the conflict map whether a potential conflict could occur, and outputting a display message if a determination is made that a potential conflict could occur.

17. CANCELLED

18. The set-top system of claim 16, wherein said selecting means comprises a remote control, said set-top system further comprising:

an input device interface, for receiving signals from the remote control and converting the signals from the remote control into command signals.

19. The set-top system of claim 18, wherein said remote control comprises an infrared remote control and said input device interface further comprises:

converting means for converting infrared remote control signals to USB signals, said converting means receiving an infrared remote control signal, determining context of use of the infrared remote control signal, and generating a corresponding USB signal to communicate the infrared remote control signal to an intended device.

20. A computer readable computer program product expressed in a selected computer readable medium, comprising:

a first computer code portion for selecting a first device application mode from a predetermined menu of device application modes, which menu includes at least two such predetermined device application modes;

a second computer code portion for determining whether a second of said at least two such predetermined device application modes is active; and

a third computer code mechanism for determining from a conflict map containing a list of device conflicts between the at least two predetermined device application modes whether a potential conflict could occur, and

a third computer code portion for initiating television presentation of activities relating to said first device application mode if it is determined a potential device conflict may not occur.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Greer et al.**	Docket No.: **0908-CE** RPB REF: **CRUS-0164**
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BRIEF ON APPEAL (LARGE ENTITY)

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Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Transmitted herewith is a Brief on Appeal (3 copies) in the above-identified application.

1. An Oral Hearing is not requested.

2. A Credit Card Authorization in the amount of **$330.00** to cover the Appeal Brief Fee is enclosed.

3. The Commissioner is hereby authorized to charge any additional fees associated with this communication, including patent application filing fees and processing fees under 37 C.F.R. § 1.16 and 1.17, or credit any overpayment to **Deposit Account No. 50-1393.**

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